

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 19 2015

Phil Lombardi, Clerk
U.S. DISTRICT COURT

DAVID JOSEPH TEAYS

Plaintiff

vs.

Case Number:

(To be supplied by Court Clerk)

15 CV - 88 JED - TLW

TULSA COUNTY SHERIFF DEPT ETAL
ARMOR CORRECTIONAL HEALTH INC ETAL
STANLEY GLANZ
KATHY LOHER

Defendant(s)

Current Location (including Address) of Confinement:
DAVID L. MOSS CRIMINAL JUSTICE CTR
TULSA CO JAIL
300 NORTH DENVER
TULSA OK 74103

Prisoner Number: 1134837

CIVIL RIGHTS COMPLAINT PURSUANT TO 42 U.S.C. § 1983

A. Parties

1) DAVID JOSEPH TEAYS is a citizen of OKLAHOMA who presently resides at
(Plaintiff) (State)

300 NORTH DENVER, TULSA OKLAHOMA
(Mailing address or place of confinement)

2) Defendant STANLEY GLANZ is a citizen of TULSA, OKLAHOMA.
(Name of first defendant) (City, State)

and is employed as SHERIFF OF TULSA CO. SHERIFF DEPT.
(Position and title, if any)

At the time the claim(s) alleged in this complaint arose, was this defendant acting under the color of state law? ☒ Yes ☐ No

If your answer is yes, briefly explain: He is The Sheriff He is in charge
of TULSA CO. JAIL.

3) Defendant KATH LOHER is a citizen of TULSA OKLAHOMA.
(Name of second defendant) (City, State)

and is employed as HEALTH CARE SERVICE ADMINISTRATOR / ARMOR CORRECTIONAL HEALTH INC
(Position and title, if any)

At the time the claim(s) alleged in this complaint arose, was this defendant acting under the color of state law? ☒ Yes ☐ No

☒ Mail ☐ No Cert Svc ☐ No Orig Sign

☐ C/J ☒ C/MJ ☐ C/Ret'd ☐ No Env

☐ No Cpy ☒ No Env/Cpy ☐ O/J ☐ O/M

If your answer is yes, briefly explain: She is in charge of ARMOR corrections Health Services at TULSA CO JAIL,

[You may attach one additional page (8 1/2" x 11") to furnish the above information for additional defendants.]

B. Jurisdiction

1) Jurisdiction is asserted pursuant to: (Check one)

☒ 42 U.S.C. §1983 (applies to state prisoners)

☐ *Bivens v Six Unknown Named Agents of Fed. Bureau of Narcotics*
403 U.S. 388 (1971) and 28 U.S.C. §1331 (applies to fed. prisoners)

2) Jurisdiction also is invoked pursuant to 28 U.S.C. §1343(a)(3). (If you wish to assert jurisdiction under different or additional statutes, you may list them below.)

C. Nature of Case

1) Briefly state the background of your case. I WAS DIAGNOSED Severe SPINAL cord INJURIES TULSA CO JAIL/ARMOR correction HEALTH, Delay/Deny medical Treatment CAUSING PERMANENT DAMAGE TO my SPINAL cord.

D. Cause of Action

1) I allege that the following of my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: [If necessary, you may attach up to two additional pages (8 1/2" x 11") to explain any allegation or to list additional supporting facts.]

a) (1) Count I: my Rights To medical Treatment.

(2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

ON AUG 11, 2014 TULSA CO JAIL ETAL/ARMOR corrections Health Services ETAL, WAS INFORMED BY ST JOHN HOSPITAL, THE HOSPITAL REPORTED TO DEFENDANTS THE FOLLOWING
CONT!

b) (1) Count II: my constitutional Rights TO NOT BE Subjected To cruel AND unusual Punishment

EXTRA PAGE 1PART D CAUSE OF ACTION

(A) (2) SUPPORTING FACTS; CONT: C-3 C-4 C-6 C-7 NERVE ROOT COMPRESSION, C-6 C-7 FRACTURE TO PREVIOUS FUSION, ALSO A BROKEN TITANIUM SCREW AT C-7 CAUSING THE FUSION TO BECOME UNSTABLE, ALSO A SEVERE SPINAL CORD IMPINGEMENT (SEVERE BRUISE) AT C-3 C-4 THE MEDICAL STAFF AND KATHY LOHER DELIBERATELY DISREGARDED THE RECOMMENDATIONS OF ST JOHNS E.R. DOCTOR THE REPORT OF THE ABOVE FINDINGS FROM A MRI DONE AT THE REQUEST OF THE MEDICAL STAFF AT TULSA CO JAIL ON 8-10-14 AFTER

THE E.R. DOCTOR CONSULTED WITH A NEUROSURGEON INSTRUCTING THE DEFENDANTS TO SEND THE PLAINTIFF TO A NEUROSURGEON WITHIN 5 DAYS DUE TO THE SEVERITY OF HIS INJURY. THE DEFENDANTS DELAYED THIS BY 6 WEEKS CAUSING MORE PERMANENT INJURY.

(B) (2) SUPPORTING FACTS; (CONT) RENDERING THE PLAINTIFF INCAPABLE OF CONTROLLING HIS BODY FUNCTIONS AS THE PLAINTIFF DEFECATED ON HIMSELF THE DEFENDANTS KNOWINGLY AND DELIBERATELY DISREGARDED THE PLAINTIFF'S GROTESQUE STATE AND FORCED HIM TO MARINATE IN HIS OWN EXCRIMENT FOR AN EXTENDED AMOUNT OF TIME CONFINED TO A CELL. HE HAD NO WAY OF CLEANING UP UNTIL THE DEFENDANTS ALLOWED HIM TO DO SO.

EXTRA PAGE 2PART D CAUSE OF ACTION

(C) (2) SUPPORTING FACTS (cont) while chained AT The Ankles, AND Black Boxed with A Belly chain The Defendants knowingly, Deliberately Forced The Plaintiff To Bend AT 90° AT The waist AND WALK while His Knees ARE Bent AT 45° AGAINST His Surgeon's orders To NO! Bend, STOOPE, REACH or PICKUP anything until further notice, only Being under 1 month of The reconstructive Surgery on The Plaintiff's Cervical SPine The Plaintiff STILL Being off BALANCE Fell in The TRANSPORT VAN #0929 a NON-HANDICAP ACCESSABLE VAN, The Plaintiff Fell STRIKING His neck and Shoulder on His Right Side while He WAS wearing A HARD cervical collar, The Blow The Plaintiff TOOK TO A POST. OP. cervical SPine, CAUSING The Plaintiff To RETURN The SPine That will Require a undetermined amount of Surgery & The Rehab That He STILL HAS Being Denied.

- (2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

ON NOV. 21 2014 A NURSE EMPLOYED BY SAID DEFENDANTS PROVIDED THE PLAINTIFF WITH THE MEDICATION FOR ANOTHER INMATE, THE WRONG MEDICATION RENDERED
CONT.

- c) (1) Count III: VIOLATION OF THE AMERICAN DISABILITY ACT.

- (2) Supporting Facts: (Include all facts you consider important, including names of persons involved, places and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

ON NOV. 06 2014 WHILE BEING TRANSPORTED TO AND FROM TULSA CO. COURT THE PLAINTIFF WAS FORCED TO CLIMB INTO A VAN THAT IS NOT HANDICAP ACCESSABLE
CONT.

E. Request for Relief

- 1) I believe that I am entitled to the following relief: \$65,121,134.34 / SIXTY FIVE million, ONE hundred Twenty one THOUSAND, one hundred thirty FOUR Dollars, AND THIRTY FOUR cents For Pain & Suffering & mental ANgish.

Original Signature of Attorney (if any)

David Joseph Leary
Original Signature of Plaintiff

Attorney's full address and telephone number

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares (or certifies, verifies, or states) under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. §1746. 18 U.S.C. §1621.

Executed at DAVID L MOSS criminal Justice center,
300 N Denver Ave TULSA OK 74103 on Feb. 16, 2015.
(Location) (Date)

David Joseph Leary
(Original Signature of Plaintiff)

DAVID TEAYS
1134837
DLm
300 N. Denver
Tulsa OK 74103

netpost #
02/18/2015
USPS POSTAGE \$001.82
EPA
ZIP 74127

Postmarked 2/18/15

RECEIVED

FEB 19 2015

Phil Lombardi, Clerk
U.S. DISTRICT COURT

clerk:
UNITED STATES DISTRICT COURT
Northern District of Oklahoma
333 West Fourth St Rm 411
Tulsa OK 74103-3819

LEGAL MAIL